

RTK Number: 14-1218



pennsylvania

OFFICE OF OPEN RECORDS

WORCESTER TOWNSHIP, MONTGOMERY COUNTY

RECEIVED

STANDARD RIGHT-TO-KNOW REQUEST FORM

due 8/20

DATE REQUESTED: 8/19/14

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR: J. M. M.

REQUESTOR STREET ADDRESS: _____

REQUESTOR CITY/STATE/COUNTY (Required): _____

REQUESTOR TELEPHONE (Optional): _____

REQUESTOR E-MAIL ADDRESS (Optional): _____

RECORDS REQUESTED:
**Provide as much specific detail as possible so the agency can identify the information.*

see all

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: TOWNSHIP MANAGER OR ASSISTANT MANAGER

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

From: jim
Sent: Tuesday, August 19, 2014 3:10 PM
To: Lee M
Subject: RTK Stoney Creek

RTK Officer,

Because of the reluctance of the Board to publicly update the residents of the Stoney Creek Development as to the status of the Township's action or inaction regarding their various issues which they feel are not being appropriately and aggressively addressed, and the fact that the Township had chosen to deny me access to certain records that would help those residents understand, in my opinion, the magnitude of their plight, you again force me to file another comprehensive RTK request. The residents of Stoney Creek have been saddled with soil issues, grass and tree issues, building problems and ground water problems, just to name a few. The Supervisors have in my observation sat idly by and done relatively little until the Spector of the upcoming May Primary Election and like a butterfly have come out of their cocoon. Not unlike the Hickory Hill residents who in my opinion were neglected while the Board purchased open space, Supervisor Caughlan showed little interest in the plight of the residents of Stoney Creek other than her interest in Historical documentation and the Old House on the Stoney Creek Farm Property. Realize, these folks are smart. The Culter Home people are like a ship out at sea with no motor, no wind and no sail. The Cutler Boat sailed the Ocean Blue in 1492. The Ryan folks seem to be on the SS Titanic. The question is who is the Captain. Where was the Township when all of these issues were happening? Who from the Township was overseeing the development when the Cutler group was working? What were the Board of Supervisors doing? Apparently there is someone overseeing the project now, at the end of Phase 4 and I hear that there is some responsiveness on the part of the builder. I remain a skeptic. Once that builder leaves, they are gone and these folks are stuck.

With that said,

I would like the following,

1. Copies of any and/or all invoices/time slips submitted and/or generated by Wisler, Pearlstine, Talone (the Township Solicitor's Firm) specifically dealing with the Stoney Creek Farms Development including but not limited to its issues with its developer, builders, ground conditions, escrows, releases, closeout of phases, transfer of improvements, and top soil issues for the past 2 years to present. In addition, I have attached for you review invoices you have provided from my prior request that in my opinion were redacted without proper

justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request.

2. Copies of any and/or communications, including but not limited to emails, notes, memos, and faxes between the Board of Supervisors collectively and/or individually specifically dealing with the Stoney Creek Farms Development, including but not limited to its legal and contractual issues with its developer and builders, ground conditions, escrows, releases, closeout of phases, transfer of improvements, and top soil issues for the past 1 year. In addition, I have attached for you review invoices you have provided from my prior request that in my opinion were redacted without proper justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request.
3. Copies of any and/or communications, including but not limited to emails, notes, memos, and faxes to or from the Board of Supervisors collectively and/or individually specifically dealing with the Stoney Creek Farms Development, including but not limited to its legal and contractual issues with its developer and builders, ground conditions, escrows, releases, closeout of phases, transfer of improvements, and top soil issues for the past 1 year. In addition, I have attached for you review invoices you have provided from my prior request that in my opinion were redacted without proper justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request.
4. Copies of any and/or communications, including but not limited to emails, notes, memos, and faxes to or from Township Staff collectively and/or individually specifically dealing with the Stoney Creek Farms Development, including but not limited to its legal and contractual issues with its developer and builders, ground conditions, escrows, releases, closeout of phases, transfer of improvements, and top soil issues for the past 1 year. In addition, I have attached for you review invoices you have provided from my prior request that in my opinion were redacted without proper justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request.
1. Copies of any and/or communications, including but not limited to emails, notes, memos, and faxes between Township Staff collectively and/or individually specifically dealing with the Stoney Creek Farms Development, including but not limited to its legal and contractual issues with its developer and builders, ground conditions, escrows, releases, closeout of phases, transfer of improvements, and top soil issues for the past 1 year.

In addition, I have attached for you review invoices you have provided from my prior requests that in my opinion were redacted without proper justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request. Pay particular attention to the April Invoices. As we appear to be coming closer to the May Supervisor Primary, the Township's aggressive actions towards me appear to have been escalating.

Please understand, your history of using extensive, unsubstantiated redactions runs afoul of the principles of the general assembly, the OOR and now the Commonwealth and Supreme Courts. Please save the Taxpayers of Worcester Township time and money by providing the records in a reasonable format and condition. Describe your redactions, if made, with some degree of specificity and stop punishing a Taxpayer who's only desire is to know what is happening in our Township. (Please, no retaliatory response is needed). If you intend to redact the records consistent with your prior responses and claim exemptions and privileges generically without providing any specificity, logs and/or privilege logs you will force me again to appeal to the Office of Open records, and I will insist on an in-camera review which one of your own lawyers has stated is within the OOR's discretion, contradicting the Township's legal opinion that we paid for just 9 mos ago in the case the Township tried to make on remand. Do we get our money back?

According to the Pennsylvania RTK law, Section 701. Access.(a)General rule.—Unless otherwise provided by law, a public record, legislative record or financial record shall be accessible for inspection and duplication in accordance with this act. A record being provided to a requester **shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists.** Public records,

legislative records or financial records shall be available for access during the regular business hours of the agency.

I would like these records in electronic format, the medium in which they exist. You may burn them to a disk which I will pay for. Please include any and/or all attachments.

Thanks,

Jim Mollick